

ASSEMBLY BILL

No. 984

Introduced by Assembly Member Nava

February 27, 2009

An act to amend Section 17525 of the Business and Professions Code, relating to cyber piracy.

LEGISLATIVE COUNSEL'S DIGEST

AB 984, as introduced, Nava. Cyber piracy.

Existing law provides that it is unlawful for a person, with a bad faith intent, to register, traffic in, or use an Internet domain name that is identical or confusingly similar to the personal name of another living person or deceased personality, with certain exceptions, as specified. Existing law makes a violation of that provision a misdemeanor, as specified.

This bill would make a technical, nonsubstantive change to that provision.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 17525 of the Business and Professions
- 2 Code is amended to read:
- 3 17525. (a) It is unlawful for a person, with a bad faith intent,
- 4 to register, traffic in, or use a domain name, that is identical or
- 5 confusingly similar to the personal name of another living person
- 6 or deceased personality, without regard to the goods or services
- 7 of the parties.

1 (b) This section shall not apply if the name registered as a
2 domain name is connected to a work of authorship, including, but
3 not limited to, fictional or nonfictional entertainment, and dramatic,
4 literary, audiovisual, or musical works.

5 (c) A domain name registrar, a domain name registry, or any
6 other domain name registration authority that takes any action
7 described in subdivision (a) that affects a domain name shall not
8 be liable to any person for that action, regardless of whether the
9 domain name is finally determined to infringe or dilute a trademark
10 or service mark.